

# **EXHIBIT 2**

**Corcoran, Patrick**

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**From:** Laura King <lking@selendygay.com>  
**Sent:** Friday, January 31, 2025 5:53 PM  
**To:** Born, Natascha; Greenfield, Elliot; O'Connor, Maeve; Schaper, Michael; Hotelling, David J.; Schlegelmilch, Stephan J; Hahn, Ashley V.; 'michael@mjllaw.com'; 'sahuja@dmablaw.com'; 'jacabed@mjllaw.com'; 'William Kraus'; 'ccording@willkie.com'; 'Tim Valliere'; 'cbeal@dmablaw.com'  
**Cc:** Philippe Selendy; Andrew Dunlap; Oscar Shine; 'Todd M. Schneider'; 'Matthew S. Weiler'; 'Srujana Shivji'; Xincheng Li; Stephen Federowicz; Tether-Team-SG; Tether Team  
**Subject:** RE: In re Tether and Bitfinex Crypto Asset Litigation, 1:19-cv-09236 (S.D.N.Y.)

**\*EXTERNAL\***

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Counsel,

Assuming Defendants submit expert reports with their forthcoming opposition brief, and Defendants' experts criticize opinions offered by Plaintiffs' experts or offer their own opinions, then Plaintiffs intend to have their experts submit reports rebutting Defendants' experts. If Defendants submit expert reports that do not respond to Plaintiffs' experts but offer unrelated opinions, Plaintiffs likewise reserve the right to submit reports from Plaintiffs' experts responding to those opinions, as well. Please let us know if Defendants would object, in either scenario, to Plaintiffs' expert submissions. If so, please explain why.

Plaintiffs reserve all rights.

Best,  
 Laura

**Laura King**  
 Associate [[Email](#)]  
 Selendy Gay PLLC [[Web](#)]

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**From:** Born, Natascha <nborn@debevoise.com>  
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**Cc:** Philippe Selendy <pselendy@selendygay.com>; Andrew Dunlap <adunlap@selendygay.com>; Oscar Shine <oshine@selendygay.com>; 'Todd M. Schneider' <tschneider@schneiderwallace.com>; 'Matthew S. Weiler' <mweiler@schneiderwallace.com>; 'Srujana Shivji' <sshivji@schneiderwallace.com>; Xincheng Li <xli@selendygay.com>; Stephen Federowicz <sfederowicz@selendygay.com>; Tether-Team-SG <Tether-Team-SG@selendygay.com>; Tether Team <TetherTeam@schneiderwallace.com>  
**Subject:** RE: In re Tether and Bitfinex Crypto Asset Litigation, 1:19-cv-09236 (S.D.N.Y.)

Counsel,

We may be talking past each other. Is it your position that Plaintiffs are entitled to submit a rebuttal report insofar as Defendants submit an affirmative expert report, or is it your position that Plaintiffs are entitled to serve a reply to any rebuttal report that Defendants submit?

Best,

Natascha

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**From:** Laura King <[lking@selendygay.com](mailto:lking@selendygay.com)>

**Sent:** Wednesday, January 29, 2025 5:18 PM

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**Cc:** Philippe Selendy <[pselendy@selendygay.com](mailto:pselendy@selendygay.com)>; Andrew Dunlap <[adunlap@selendygay.com](mailto:adunlap@selendygay.com)>; Oscar Shine <[oshine@selendygay.com](mailto:oshine@selendygay.com)>; 'Todd M. Schneider' <[tschneider@schneiderwallace.com](mailto:tschneider@schneiderwallace.com)>; 'Matthew S. Weiler' <[mweiler@schneiderwallace.com](mailto:mweiler@schneiderwallace.com)>; 'Srujana Shivji' <[sshivji@schneiderwallace.com](mailto:sshivji@schneiderwallace.com)>; Xinchun Li <[xli@selendygay.com](mailto:xli@selendygay.com)>; Stephen Federowicz <[sfederowicz@selendygay.com](mailto:sfederowicz@selendygay.com)>; Tether-Team-SG <[Tether-Team-SG@selendygay.com](mailto:Tether-Team-SG@selendygay.com)>; Tether Team <[TetherTeam@schneiderwallace.com](mailto:TetherTeam@schneiderwallace.com)>

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**\*EXTERNAL\***

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Counsel,

It is not necessary for the Scheduling Order to address rebuttal expert reports because Fed. R. Civ. P. 26(a)(2)(D)(ii) expressly allows for rebuttal reports, and nothing in the Scheduling Order limits Plaintiffs' rights under that rule. See *S.E.C. v. Badian*, 2009 WL 5178537, at \*4 (S.D.N.Y. Dec. 23, 2009) (rejecting the argument that the Scheduling Order's silence meant the SEC was not entitled to serve rebuttal reports).

To be clear, are Defendants taking the position that they will object to Plaintiffs serving rebuttal expert reports alongside their reply brief? If so, please identify any and all bases for Defendants' objection, including—specifically—how Defendants would be prejudiced by the submission of expert rebuttal reports.

Plaintiffs reserve all rights and are available to meet and confer.

Best,  
Laura

**Laura King**  
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**From:** Born, Natascha <[nborn@debevoise.com](mailto:nborn@debevoise.com)>  
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**Subject:** RE: In re Tether and Bitfinex Crypto Asset Litigation, 1:19-cv-09236 (S.D.N.Y.)

Counsel:

The Amended Civil Case Management Plan and Scheduling Order (the "Scheduling Order") does not allow for any reply expert reports to be submitted in support of Plaintiffs' motion for class certification. (Dkt. No. 578.) Unlike paragraph 8 of the Scheduling Order, which provides for opening, rebuttal, and reply reports for any experts beyond class certification, paragraph 7 does not allow for the submission of any reply report.

With respect to your email on scheduling, we are reviewing the expert reports by Mr. Malek and Dr. DeRamus and coordinating calendars on our end and will get back to you with dates for their depositions.

Regards,

Natascha

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**From:** Laura King <[lking@selendygay.com](mailto:lking@selendygay.com)>

**Sent:** Thursday, January 23, 2025 11:35 AM

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**Subject:** In re Tether and Bitfinex Crypto Asset Litigation, 1:19-cv-09236 (S.D.N.Y.)

**\*EXTERNAL\***

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Counsel,

Our understanding is that any rebuttal reports that Plaintiffs' expert(s) may submit in response to Defendants' expert(s) are due at the same time as Plaintiffs' reply in support of their motion for class certification. If you have a different understanding, please let us know so that the parties can meet and confer.

Thanks,  
Laura

**Laura King**

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